

AMENDMENT UNDER 37 C.F.R. § 1.114 (c)
U.S. Appln. No. 09/917,760

REMARKS

Claims 1-47 are all the claims pending in the application. Claims 1, 23, 41, 46, and 47 are independent claims.

As an initial matter, the independent claims have been amended to recite that the set-top-box converts a received digital television signal into television content. This amendment is fully supported in the original specification at least by the discussion provided at page 23, paragraph 69.

Claim Rejections

Claims 1, 4-12, 14, 15, 17-20, 22, 23, 41-43, and 45-47 are rejected under 35 U.S.C. §102 as being anticipated by Remillard (US 5,461,667). Claims 2, 3, 21, 24-30, 32, 33, 35-40 and 44 are rejected under 35 U.S.C. §103 as being obvious over Remillard. Claims 13 and 31 were rejected under 35 USC 103 as being obvious over Remillard in view of Dugan et al (US 6,330,079). Claims 16 and 34 were rejected under 35 USC 103 as being unpatentable over Remillard in view of Merwin et al. (US 6,731,725).

Claims 1-22

Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1 at least because Remillard does not teach all of the claim limitations. For example, Remillard does not teach the claimed communication system having a set-top -box that converts a received digital television signal into television content.

In the previous response, the Applicant argued that Remillard's electronic device interface 20 cannot correspond to the recited set-top-box because the interface is not an existing

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set-top-box, but is instead an add-on device.¹ In response, the Examiner indicated that it is unclear what is meant by an existing set-top-box.² Therefore, Applicant has amended the independent claims in order to clearly distinguish the invention based on this feature.

There is no disclosure in Remillard that the electronic device interface 20 is capable of converting a received digital television signal into television content, which is a function that an existing set-up-top box would perform.

In the Advisory Action, the Examiner asserts that any signals must pass through the electronic device interface 20 before transmission to the television.³ Even assuming *arguendo* that electronic device interface somehow receives a digital television signal, there is no clearly disclosure in Remillard about *converting the received digital television signal into television content*. For example, although Remillard discloses that the interface 20 can be used for pay-per-view services, this disclosure is merely teaches using the interface 20 for payment of, and authorization for, the pay-per-view services, and does not teach that the pay-per-view programs are provided through the interface 20.⁴ Moreover, with respect to the “interactive services” of Remillard, the interface 20 is able to transmit captured images from a television 50 to a host computer 50,⁵ the interface 20 includes a television interface 108 that has a video controller for

¹ See Amendment dated February 21, 2006 at page 14.

² See Advisory Action dated August 16, 2006 at page 2.

³ See Advisory Action dated August 16, 2006 at page 2.

⁴ See Remillard at 9:43-53.

⁵ See Remillard at 4:65-5:8.

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producing an television-compatible output,⁶ and the interface 20 includes a modem 110 that permits the interface 20 to exchange information with a selected facility 31.⁷ However, there is no disclosure that the interface 20 provides conversion of a digital television signal into television content.

Therefore, Applicant respectfully request that the Examiner withdraw the rejection of independent claim 1.

Moreover, Applicant respectfully requests that the Examiner withdraw the rejections of dependent claims 2-22 at least because of their dependency from claim 1.

Claims 23-47

In addition, Applicant respectfully request that the Examiner withdraw the rejection of independent claims 23, 41, 46, and 47, which recite that the set-top-box converts a received digital television signal into television content, at least for the reasons discussed above with respect to independent claim 1.

Finally, Applicant respectfully requests that the Examiner withdraw the rejections of dependent claims 24-20, and 42-45 at least because of their dependency from claim 23 or claim 41.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

⁶ See Remillard at 6:7-13..

⁷ See Remillard at 6:14-18.

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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